

**COLUMBUS BOARD OF ZONING APPEALS
123 WASHINGTON STREET
COLUMBUS, INDIANA**

The Columbus Board of Zoning Appeals met at 6:30 p.m., November 25, 2003 in the Council Chambers, second floor of City Hall, 123 Washington Street, Columbus, Indiana for its monthly meeting.

Members Present: Pat Zeigler; Karen Dugan; Mary Ferdon; Gary Nienaber; Lou Marr, new member; and David Fisher, alternate

Staff Present: Roger Hunt; Planning Director; Brian Thompson, Code Enforcement Officer; Alan Whitted, Deputy City Attorney; Thom Weintraut; Marcus Hurley, Stephanie Carr, Dept. of Code Enforcement, Sondra Bohn, Planning Dept. and Nancy Whipker, Dept. of Code Enforcement

Ms. Zeigler opened the meeting with a brief explanation about the Board and its responsibilities.

Proof of advertising for all cases was confirmed. The petitions and staff comments are a permanent record at the Planning Department.

Alan Whitted, Deputy City Attorney, administered the oath to all in attendance all the people would be speaking.

The meeting was opened for public comment.

**DOCKET NO. C/DS-03-16 STEVE & PATRICIA CONARD
CONTINUED FROM OCTOBER 28, 2003**

Steve and Patricia are requesting a developmental standard variance to allow a multifamily dwelling unit to exceed the maximum lot coverage requirements, to exceed floor area requirements, and to give relief of the open space provision. The property is located at 1121 Pearl St. Columbus, Indiana.

Mr. Hurley reads the staff report. Changes have been made since the October hearing. Due to the changes made by the petitioner submitted to staff, the project will comply with the following provisions:

Open Space. In an R-6 District, two (2) square feet of open space shall be provided for each (1) square foot of floor area.

Floor Space. The total area of all buildings shall not exceed forty percent (40%) of the land area an R-6 District.

This request is to give relief of the following provisions:

COLUMBUS BOARD OF ZONING APPEALS

NOVEMBER 25, 2003 MINUTES

Page 2

Lot size. The minimum density or lot size in an R-6 District shall be as follows: Multifamily dwelling: Two thousand (2,000.00) square feet per unit. Eliminating the need for all but one variance. This request is for an additional unit to be placed on a lot of this size. Proposal for a multifamily dwelling unit should be subject to approval by the Landscape Review Committee.

The Parcel is surrounded by many multi-family dwelling units, and would be consistent with surrounding properties and their uses.

The City's Engineering Department reviewed the proposal and did not have problem with Proposed egress/ingress, or proposed parking.

The Petitioner has changed the proposal eliminating the need for all but one variance. This request is for an additional unit to be placed on a lot of this size. This proposal for a multi family dwelling unit should be subject to approval by the landscaping review committee. The parcel is surrounded by many multi-family dwelling units and would be consistent with surrounding properties and their uses. The City engineering department reviewed the proposal and did not have a problem with the proposed egress/ingress, or proposed parking.

PROVISIONAL FINDINGS

Mr. Hurley reviewed the findings stating that all criteria had been met.

Steven Conrad presented pictures of home, where property is located.

The meeting was opened for public comments.

Robert Goddard, Jim Gordon, Bart Steel, spoke against the request.

Letters were read into the record from the following people:

Opposed: Patircia Hanasy, Jim Burden, Tom and Diane Spofford

Letters were read into the record from the following people:

In favor: Donald Cardinal and Jean and Joann Growe.

The meeting was closed to the public.

DISCUSSION: The staff spoke about problems with parking. Lou Marr has A question for the Staff. She would like to know about the requirements on the the zoning ordinance. The two story plan, rather than a string of low one story units that would not fit into the neighborhood style of housing.

Mary Ferdon , expressed her concern with the public parking problem downtown. She feels that adding more units to an existing house with

COLUMBUS BOARD OF ZONING APPEALS

NOVEMBER 25, 2003 MINUTES

Page 3

Only 8 parking places is going to cause a problem.

Karen Dugan agrees, and suggested that they add 2 more parking Places. Lou Marr, suggest that if there were only 4 units, they would not Have to go through a variance. Mr. Conard responds that he could not do that Financially.

Lou Marr moved to deny C/DS 03-16 based on the provisional findings of fact.

Mary Ferdon seconded the motion and it was denied unanimously.

DOCKET NO. CU/03-18 KATHY HAMILTON VANEST

Kathy Hamilton Vanest is requesting a developmental standard Variance is allow an accessory structure to encroach into a front setback. The Property is located a 2208 7th Street, Columbus, IN 47201.

Kathy and Steve Vanest stated their names for the record.

Mr. Hurley reads the staff report and shows slides of pictures of the property at 2208 7th Street, Columbus, IN 47201

Mr. Hurley reads the finding of fact. All criteria have been met except Numbers, #4 and #5.

Kathy and Steve Vanest demonstrate why criterion 4 and 5 have not been Met for the staff.

Mr. Hurley said that there was lack of information on 4 and 5.

The Petitioners state that the home and carport are already on the same setback from Cherry Street, and the proposed garage.

The petitioner states that it does not infringe on anyone's property values or Interfere with there safety or well being.

Annie Young spoke against the petition.

Mary Ferdon, moves to make a motion to approve C/U/03-18 based on the The following conditions:

Staff agrees that criteria 4 and 5 have been met.

The Addition to either the garage or the hang over shall encroach any

COLUMBUS BOARD OF ZONING APPEALS

NOVEMBER 25, 2003 MINUTES

Page 4

further setback than the existing primary structure.

The Petitioner shall obtain approval from the City Engineer of the proposed access to the accessory structure.

The existing driveway is to be vacated, before a new driveway is put in.

Karen Dugan, seconded the motion, and it was passed unanimously.

DOCKET NO. CU/DS-03-19 DESIGNS BY DAUGHERTY, INC

Designs by Daugherty, Inc. is requesting a developmental standard Variance to allow an enclosed dumpster to be located in front of a business.. The property is located at Chestnut Street Administrative subdivision Lot #1A, Columbus, IN.

Karen Dugan, has conflict with this case and is excused.

Mark Gorbett, and Mark Pratt both state their names for the record, on behalf of Designs by Daugherty.

Mr. Hurley reads the staff report to allow an enclosed dumpster to be located in front of the Business. Mr. Hurley shows visuals of the property in question.

Findings of fact

Mr. Hurley reads the findings of facts. All Criteria has been met

Accept for number #4. The Variance requested is the minimum necessary and does not correct a hardship caused by an owner, previous or present, of the property.

Condition if granted:

No structure or growth on the existing structure shall encroach into The visibility triangles. The enclosure shall remain consistent with design of the primary structure on the parcel.

Structures on the parcel.

DISCUSSION: Landscaping is a major issue. They have no Landscaping on the plan.

Lou Marr makes a motion to continue this case until the applicants Supply information on landscaping and dumpster usage. Pat Zeigler seconded the motion for continuance of C/DS-03-19.

COLUMBUS BOARD OF ZONING APPEALS

NOVEMBER 25, 2003 MINUTES

Page 5

DOCKET NO. C/CU-03-20 WILLIAM BURD

William Burd is requesting a developmental standards variance to encroach into a front setback. The Petition includes the request to give relief landscape buffering. The property is located at 1428 10th street Columbus, IN 47201

DOCKET NO. C/CU-03-11 WILLIAM BURD

William Burd is requesting a conditional use permit to allow the operation of a retail business in an industrial zoning district. The property is located at 1428 10th Street Columbus, IN 47201

FINDINGS OF FACT

The following findings of fact were presented to the Board
For consideration:

C/DS-03-09 RONNIE AND DEBRA FORREST

Mary Ferdon made a motion to approve
Lou Marr seconded to motion for approval

C/DS-03-10 PENNEY HUNDLEY

Karen Dugan made a motion to approve
Mary Ferdon seconded to motion for approval

C/DS-17 TAKENAKA CORPORATION, USA

Lou Marr made a motion to approve
Karen Dugan Seconded the motion for approval

C/DS-03-06 ROBINSON

Could not be approved at this time.

C/DS-03-08 GROWE

Could not be approved at this time.

MINUTES

Lou Marr made a motion to approve the minutes of October 28, 2003
Karen Dugan seconded the motion.

There being no further business the meeting was adjourned.

COLUMBUS BOARD OF ZONING APPEALS
NOVEMBER 25, 2003 MINUTES
Page 6

Patricia Zeigler, Chair

Karen Dugan, Secretary